

ARTICLE 32-05

INDIVIDUALS

Chapter

32-05-01 Operators, Manager-Operators, Instructors, Student Instructors,
Demonstrators, Estheticians, and Manicurists

CHAPTER 32-05-01

COSMETOLOGISTS, MANAGER-OPERATORS, INSTRUCTORS, STUDENT INSTRUCTORS, DEMONSTRATORS, ESTHETICIANS, AND MANICURISTS

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32-05-01-01. Cosmetologists. Every person desiring to be licensed by the board as a cosmetologist shall have the qualifications required by North Dakota Century Code chapter 43-11 applicable to cosmetologists and the educational qualifications set forth in section 32-04-01-26.1 and shall make application to the board for a certificate prior to commencing any activity as a cosmetologist.

1. **Fee and proof.** The application shall be accompanied by the required proof of qualification applicable to the applicant, the original license fee of fifteen dollars, and the practical examination fee of twenty-five dollars.
2. **Renewal.** Every cosmetologist shall renew the cosmetologist's license by annually making written application to the board before December thirty-first each year, and such renewal application shall be accompanied by the fifteen dollar fee.
3. **Penalty fee.** If the licensee fails to renew the cosmetologist's license by the expiration date, a penalty fee of fifteen dollars is required.
4. **Change of name or address.** Every cosmetologist shall notify the board in writing of any change of name or change of residence address.

5. **Certificates displayed.** Every cosmetologist shall conspicuously display the cosmetologist's certificate of registration in the reception or work area of the cosmetology salon.

History: Amended effective July 1, 1988; July 1, 1990; March 1, 1998; January 1, 2002; December 1, 2005; January 1, 2012.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-14, 43-11-21, 43-11-22, 43-11-23, 43-11-24, 43-11-25, 43-11-28

32-05-01-01.1. License without examination. Every person desiring to be licensed as a cosmetologist, instructor, manicurist, or esthetician without taking the examination shall make an application on the form provided by the board and:

1. Pay the application fee.
2. Provide proof that the applicant is licensed as a cosmetologist, instructor, manicurist, or esthetician in another jurisdiction and that the applicant's license is in good standing.
3. Demonstrate the other jurisdiction's licensure requirements at the time the applicant was licensed by the other jurisdiction were substantially equal to those in North Dakota at the time the North Dakota application was filed. Three thousand hours or more of work experience as a licensed cosmetologist will be considered substantially equal to three hundred hours of cosmetology education.
4. Pass an examination on North Dakota sanitation practices and cosmetology law.

History: Effective July 1, 2000; amended effective December 1, 2005; January 1, 2012.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-25

32-05-01-02. Manager-operators. Every person desiring to be licensed by the board as a manager-operator shall have the qualifications required by North Dakota Century Code chapter 43-11 applicable to manager-operators and shall make written application to the board.

1. **Fee and proof.** The application shall be accompanied by the fee of twenty-five dollars and the required proof of qualification.
2. **Renewal.** Every manager-operator shall renew the manager-operator's license by annually making an application to the board before December thirty-first each year, and the renewal application shall be accompanied by the twenty dollar fee.

3. **Penalty fee.** If the licensee fails to renew the manager-operator's license by the expiration date, a penalty fee of fifteen dollars is required.
4. **Change of name or address.** Every manager-operator shall notify the board in writing of any change of name or change of residence address.
5. **Certificates displayed.** Every manager-operator shall conspicuously display the manager-operator's certificate of registration in the reception or work area of the cosmetology salon.

History: Amended effective July 1, 1988; July 1, 1990; March 1, 1998; December 1, 2005; January 1, 2012.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-14, 43-11-22, 43-11-23, 43-11-26, 43-11-28

32-05-01-03. Instructors. Every person desiring to be an instructor shall have the qualifications and passed the examination required by North Dakota Century Code chapter 43-11 applicable to student instructors and instructors and shall make application in writing to the board pursuant to North Dakota Century Code section 43-11-27 and this section.

1. **Renewal.** Every instructor shall renew the instructor's license by annually making written application to the board before December thirty-first each year, and the renewal application shall be accompanied by the twenty dollar fee and evidence of attendance at a board-approved seminar during the previous year.
2. **Penalty fee.** If the licensee fails to renew the instructor's license by the expiration date, a penalty fee of fifteen dollars is required.
3. **Seminars.** Every instructor shall attend eight hours of board-approved continuing education annually. Before attending any seminar, every instructor shall apply in writing to the board for approval of the seminar.
4. **Change of name or address.** Every instructor shall notify the board in writing of any change of name or change of residence address.
5. **Certificate displayed.** Every instructor shall conspicuously display the instructor's certificate of registration in the clinic laboratory area of the cosmetology school.

History: Amended effective July 1, 1988; July 1, 1990; March 1, 1998; December 1, 2005.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-14, 43-11-22, 43-11-23, 43-11-27, 43-11-28

32-05-01-04. Student instructors. Every person desiring to be a student instructor shall have the qualifications required by North Dakota Century Code chapter 43-11 applicable to student instructors and shall make application in writing to the board before enrollment in a registered cosmetology school. Upon board approval of the application, the person may enroll in a licensed cosmetology school.

1. **Fee.** There shall be a fifteen dollar fee for application and registration of student instructors with the board.
2. **Contents and certification.** The cosmetology school of the approved student shall certify in writing to the board the name, age, and qualifications of the student instructor, and the board shall record the information in a student instructor register.
3. **Application.** Upon completion of the required course prescribed for student instructors, the student instructor shall make written application to the board on a form provided by the board, and the written application shall be accompanied by a fee of thirty-five dollars.
4. **Examination.** The time, place, and date of the examinations for instructor's licenses shall be set by the board. The examination fee is fifty-five dollars.

History: Amended effective July 1, 1988; December 1, 2005.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-14, 43-11-22, 43-11-23, 43-11-27, 43-11-28

32-05-01-05. Demonstrators. Repealed effective March 1, 1998.

32-05-01-06. Esthetician. Every person desiring to be licensed by the board as an esthetician shall have the qualifications required by North Dakota Century Code chapter 43-11 applicable to estheticians and the educational qualifications set forth in section 32-04-01-27 and shall make written application to the board to register for the esthetician's examination:

1. **Fee and proof.** The application must be accompanied by the required proof of qualification applicable to the applicant, the original license fee of twenty-five dollars, and the practical examination fee of twenty-five dollars.
2. **Renewal.** Every esthetician shall renew the esthetician's license by annually making written application to the board office before December thirty-first each year, and such renewal application must be accompanied by the twenty dollar fee.
3. **Penalty fee.** If the licensee fails to renew the esthetician's license by the expiration date, a penalty fee of fifteen dollars is required.

4. **Change of name or address.** Every esthetician shall notify the board in writing of any change of name or residence.
5. **Certificates displayed.** Every esthetician shall conspicuously display the esthetician's certificate of registration in the reception or work area of the cosmetology salon.

History: Effective July 1, 1990; amended effective March 1, 1998; January 1, 2002; December 1, 2005; January 1, 2012.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-14, 43-11-21, 43-11-22, 43-11-23, 43-11-24, 43-11-25, 43-11-27.1, 43-11-28

32-05-01-06.1. Master esthetician. Every person desiring to be licensed by the board as a master esthetician shall furnish to the board evidence of having practiced as a licensed esthetician for one thousand hours.

A master esthetician may operate as a manager-operator of a salon that is operated and engaged exclusively in the practice of skin care.

1. **Fee and proof.** The application must be accompanied by the required proof of qualification applicable to the applicant and the original license fee of twenty-five dollars.
2. **Renewal.** Every master esthetician shall renew the master esthetician's license by annually making written application to the board's office before December thirty-first each year, and such renewal application must be accompanied by the twenty dollar fee.
3. **Penalty Fee.** If the licensee fails to renew the master esthetician's license by the expiration date, a penalty fee of fifteen dollars is required.

History: Effective February 1, 1996; amended effective July 1, 2000; December 1, 2005.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13.1, 43-11-14, 43-11-21, 43-11-22, 43-11-23, 43-11-24, 43-11-25, 43-11-27.1, 43-11-28

32-05-01-07. Manicurist. Every person desiring to be licensed by the board as a manicurist shall have the qualifications required by North Dakota Century Code chapter 43-11 applicable to manicurists and the educational qualifications set forth in section 32-04-01-28 and shall make written application to the board to register for the manicurist's examination.

1. **Fee and proof.** The application must be accompanied by the required proof of qualification applicable to the applicant, the original license fee of twenty-five dollars, and the practical examination fee of twenty-five dollars.

2. **Renewal.** Every manicurist shall renew the manicurist's license by annually making written application to the board before December thirty-first each year, and such renewal application must be accompanied by the twenty dollar fee.
3. **Penalty fee.** If the licensee fails to renew the manicurist's license by the expiration date, a penalty of fifteen dollars is required.
4. **Change of name or address.** Every manicurist shall notify the board in writing of any change of name or any change of residence.
5. **Certificates displayed.** Every manicurist shall conspicuously display the manicurist's certificate of registration in the reception or work area of the cosmetology salon.

History: Effective July 1, 1990; amended effective March 1, 1998; January 1, 2002; December 1, 2005; January 1, 2012.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13, 43-11-27, 43-11-27.1, 43-11-28

32-05-01-07.1. Master manicurist. Every person desiring to be licensed by the board as a master manicurist shall furnish to the board evidence of having practiced as a licensed manicurist for one thousand hours.

A master manicurist may operate as a manager-operator of a salon that is operated and engaged exclusively in the practice of manicuring.

1. **Fee and proof.** The required proof of qualification applicable to the applicant and the original license fee of twenty-five dollars must accompany the application.
2. **Renewal.** Every master manicurist shall renew the master manicurist's license by annually making written application to the board office before December thirty-first each year, and such renewal application must be accompanied by the twenty dollar fee.
3. **Penalty fee.** If the licensee fails to renew the master manicurist's license by the expiration date, a penalty fee of fifteen dollars is required.

History: Effective February 1, 1996; amended effective July 1, 2000; December 1, 2005.

General Authority: NDCC 43-11-05

Law Implemented: NDCC 43-11-13.1, 43-11-14, 43-11-21, 43-11-22, 43-11-23, 43-11-24, 43-11-25, 43-11-27.1, 43-11-28